

*** NOT FOR PUBLICATION ***

NO. 26542

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ROBINSON FAMILY PARTNERS, a Hawaii general partnership,
Plaintiff-Appellee

vs.

JOSEPH PUNILEI MANINI, SR., Defendant-Appellant

and

DOES 1-100, Defendants

APPEAL FROM THE FIFTH CIRCUIT COU
(CIV. NO. 03-1-0150)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the statements supporting and contesting jurisdiction, the motion to dismiss appeal and the record, it appears that the April 19, 2004 order granting a permanent injunction in Civil No. 03-1-0150 is appealable upon entry of a final judgment disposing of Civil No. 03-1-0150, but final judgment has not been entered. Thus, the appeal of the April 19, 2004 order is premature and we lack jurisdiction. See HRS § 641-1(a). Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

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IT IS FURTHER ORDERED that appellant's "motion for writ of injunction" and "motion for fraud" are dismissed.

DATED: Honolulu, Hawai'i, August 31, 2004.